

STATEMENT UNDER 37 C.F.R. § 3.73(b)

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|----------------------------|---|---|
| Applicant/Patent Owner: | NEWSAM, John M. et al. | |
| Application No./Patent No. | 10/566,648 | Filed/Issue Date: January 31, 2006 |
| Entitled: | APPARATUS AND METHODS FOR EVALUATING THE BARRIER PROPERTIES OF A MEMBRANE | |
| Fubed, Inc. | , a | Corporation |
| (Name of Assignee) | (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.) | |

STATE THAT IT IS:

1. the assignee of the entire right, title, and interest ; or
2. an assignee of less than the entire right, title and interest. The extent of its ownership interest is _____ % (by percentage)

in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the U. S. Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

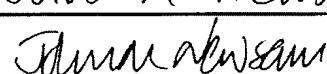
B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the U. S. Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the U. S. Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the U. S. Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to the Assignment Division in accordance with 37 C.F.R. Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

| | |
|---|---|
| Date: <u>June 22, 2006</u> | Typed or printed name: <u>JOHN M NEWSAM</u> |
| Signature:  | |
| Title: <u>President & Managing Director</u> | |

A S S I G N M E N T

WHEREAS, John M. Newsam, Ilya Feygin, Samir Mitragotri and Robert Dominic King-Smith (herein referred to as the "Assignors"), whose full post office addresses are 4303 Corte Al Fresco, San Diego, California, U.S.A. 92130, 853 Hillside Avenue, Mountainside, New Jersey, U.S.A. 07092, 6831 Sweetwater Way, Goleta, California, U.S.A. 93117 and 5814 Lord Cecil Street, San Diego, California, U.S.A. 92122, respectively, made an invention entitled:

APPARATUS AND METHODS FOR EVALUATING THE BARRIER PROPERTIES OF A
MEMBRANE

(hereinafter referred to as the "Invention") for which a United States utility patent application was filed on January 31, 2006 under serial number 10/566,648.

AND WHEREAS, Fqubed, Inc. (hereinafter referred to as the "Assignee"), whose full post office address is 6330 Nancy Ridge Drive, Suite 107, San Diego, California, U.S.A. 92121, is desirous of acquiring from the Assignors their entire right, title and interest in and to the Invention.

NOW THEREFORE, to all whom it may concern be it known that for and in consideration of the sum of ten dollars (\$10.00) to them in hand paid by the Assignee, and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the Assignors do hereby sell, assign and transfer to the Assignee, its successors and assigns, their entire right, title and interest in and to the Invention for all countries and in and to the said United States Patent Applications and any continuations and divisions thereof, and all Letters Patents that may be obtained therefor in the United States of America, and in and to any corresponding patents and patent applications therefor in all other countries.

AND the Assignors hereby authorize and request the Commissioner of Patents to issue United States Letters Patents for the Invention to the Assignee, the assignee of the entire right, title and interest in and to the same, for its sole use and benefit, and for the use and benefit of its

successors and assigns, to the full end of the term for which a United States Letters Patent may be granted, as fully and entirely as the same would have been held by them had this assignment and sale not been made.

AND the Assignors hereby undertake without liability at any time upon request to do everything legally possible to assist the Assignee in the filing and prosecution of any patent application relating to the Invention in any country, to sign such documents and do such things as may be required to give effective legal and registered title of the Assignee to the Invention in any country, all without further consideration but at the expense of the Assignee.

EXECUTED at San Diego, California, this 22nd day of June, 2006.

John M. Newsam

John M. Newsam

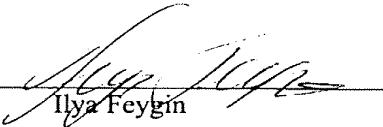
STATEMENT OF WITNESS

I, R. Dominick King-Smith, whose full post office address is 5814 Linda Cielo St
San Diego, CA 92122, hereby declare that I was personally present and did see John M. Newsam who is personally known to me to be the person in the assignment herein, duly sign and execute the same.

Signed at San Diego CA, this 22nd day of June, 2006.

Dominick King-Smith
Signature of Witness

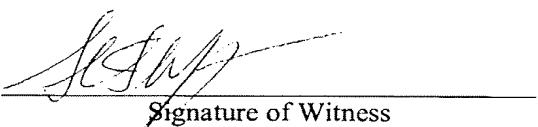
EXECUTED at 853 Hillside Ave, this 21 day of JULY, 2006.
Mountainside NJ 07042


Ilya Feygin

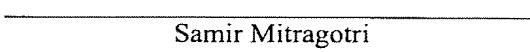
STATEMENT OF WITNESS

I, Helen Feygin, whose full post office address is 853 Hillside Ave
Mountainside, NJ 07042, hereby declare that I was personally present and
did see Ilya Feygin who is personally known to me to be the person in the assignment herein,
duly sign and execute the same.

Signed at 853 Hillside Ave Mountainside this 21 day of July, 2006.


Signature of Witness

EXECUTED at _____ this _____ day of _____, 2006.


Samir Mitragotri

EXECUTED at _____, this _____ day of _____, 2006.

Ilya Feygin

STATEMENT OF WITNESS

I, Samir Mitragotri, whose full post office address is 594 Long Island
San Diego, CA 92122, hereby declare that I was personally present and
did see Ilya Feygin who is personally known to me to be the person in the assignment herein,
duly sign and execute the same.

Signed at _____, this _____ day of _____, 2006.

Signature of Witness

EXECUTED at skillman, NJ this 24th day of July, 2006.



Samir Mitragotri

STATEMENT OF WITNESS

I, Dominic King-Smith, whose full post office address is 5914 Land Leisu
SAN DIEGO, CA 92122, hereby declare that I was personally present and did see Samir Mitragotri who is personally known to me to be the person in the assignment herein, duly sign and execute the same.

Signed at Skidman NJ, this 24th day of JULY, 2006.

Dom King-Smith
Signature of Witness

EXECUTED at SAN DIEGO, CA this 22nd day of JUNE, 2006.

Robert Dominic King-Smith
Robert Dominic King-Smith

STATEMENT OF WITNESS

I, JOHN M NEWSAM, whose full post office address is 4303 CORTE
AL FRESCO, SAN DIEGO, CALIFORNIA, hereby declare that I was personally present and did see Robert Dominic King-Smith who is personally known to me to be the person in the assignment herein, duly sign and execute the same.

Signed at San Diego, California, this 22nd day of June, 2006.

John M Newsam
Signature of Witness